

REMARKS

In response to the aforementioned Office Letter, Claims 1-15 have been effectively resubmitted, inasmuch as they are all original claims. The applicant has further added a new Claim 16, 5 which has been incorporated in the application, at very minimum, to demonstrate the inadvisability of maintaining the restriction requirement. In the aforementioned Office Letter, the Examiner restricted the application between Claims 1-8 and 12 drawn to the brush cleaning and storage apparatus, and Claims 9-11 and 13-15 10 drawn to the method of cleaning brushes. The applicants hereby provisionally elect to prosecute the claims of Group I, including Claims 1-8 and 12, subject to the following traversal.

The applicants traverse the application on the grounds that the claims drawn to the brush cleaning apparatus are so closely 15 related to the claims drawn to the method of cleaning the brushes that adherence to the restriction requirement would only duplicate efforts on the part of the applicants and on the part of the U.S. Patent Office.

The limitations of Claim 1 are already very closely related to 20 the limitations of Claim 9. Claim 1, for example, calls for the housing having an interior chamber or compartment, and clause (a) of Claim 9 calls for the introducing of the brush into a solvent within that reservoir or chamber. Claim 1 calls for the cleaning means in the housing having an irregular surface pattern.

Clause (b) of Claim 9 calls for rubbing the brush against an irregular surface of a cleaning member. Although clause (d) of Claim 16 did not call for a suspension of the brush, Claim 9 did. Nevertheless, after the container is closed, some means must be

5 provided for storage of that brush.

The applicants have added new Claim 16 to call for the reservoir, namely the identical language used in Claim 9. The applicants have added clause (c) to call for the coating material, which is identified in Claim 9. Furthermore, clause (d) of new

10 Claim 16 calls for the brush to be suspended, much in the same manner as clause (c) of Claim 9. Therefore, it is urged that the U.S. Patent and Trademark Office would necessarily be constrained to use the results of a search for the claims of Group I in the examination of the claims of Group II. In other words, the efforts

15 on the part of the U.S. Patent and Trademark Office would be duplicative.

Notwithstanding any of the foregoing, it is respectfully urged that, in the art of coating brushes, such as paint brushes and the like, the art is categorized in similar locations, such that one

20 would almost necessarily be searching the same areas for the method of using a cleaning apparatus, as opposed to the actual paintbrush cleaning process. It must be remembered that this is not a distinction between an apparatus and a method. Rather, it is a distinction between a method of cleaning a brush, as opposed to the

brush cleaning apparatus. In short, one would store the brush in a brush cleaning apparatus if the latter were to be cleaned. Consequently, it is, again, respectfully urged that the restriction requirement is futile and would only duplicate the efforts on the 5 part of the U.S. Patent and Trademark Office and on the part of the applicants. Therefore, reconsideration and allowance is respectfully solicited.

However, in the event that the U.S. Patent Office adheres to the original restriction requirement, the applicants have 10 provisionally elected to prosecute the claims of Group I drawn to Claims 1-8 and 12.

It was also noted in the Office Action that the claims of Group II would incorporate Claims 13-15. Such a restriction is not fully understood, since Claims 13-15 are pure apparatus claims. 15 Claims 13-15 are drawn to an apparatus, much in the same manner as Claims 1-8. Consequently, they should be categorized with the claims of Group I. It is believed that the U.S. Patent and Trademark Office only identified Claims 13-15 with Group II as an oversight, and to that extent, the applicants elect to prosecute 20 Claims 13-15, as well.

Dated: January 15, 2005

Respectfully submitted,

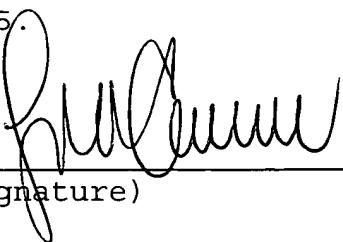

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